

United States
Environmental Protection
Agency

Office of Solid Waste
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Solid Waste



Inventory of Open Dumps

INVENTORY OF OPEN DUMPS
APRIL, 1982

OFFICE OF SOLID WASTE
ENVIRONMENTAL PROTECTION AGENCY

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INVENTORY OF OPEN DUMPS

The Resource Conservation and Recovery Act (RCRA or the Act) provides for publication of an inventory of open dumps. The Act defines "open dumps" as facilities which do not comply with EPA's "Criteria for Classification of Solid Waste Disposal Facilities and Practices". (40 CFR 257)...]

EPA has provided funds to State solid waste management agencies to evaluate disposal facilities against the Criteria. Through such evaluations the States have been able to identify facilities which do not comply with the Criteria and are, therefore, "open dumps". The facility evaluations leading to publication of the inventory were conducted by State agencies as part of their effort to develop and implement State solid waste management plans in accordance with the Act.

STRUCTURE OF SUBTITLE D PLANNING PROGRAM

Subtitle D of the Resource Conservation and Recovery Act (RCRA or the Act) established a voluntary program through which participating States received Federal financial support to develop and implement solid waste management plans. EPA's role in the program has included publishing guidelines for States to follow in developing their plans, providing funds for the States, and approving those State plans which meet the requirements of the Act.

On July 31, 1979, EPA published "Guidelines for Development and Implementation of State Solid Waste Management Plans" (40 CFR 256, 44 FR 45066-45086). The Guidelines are based on Section 4003 of the Act, which lists the minimum requirements with which State plans must comply. Section 4007 of the Act provides for EPA approval of State plans meeting the requirements.

Role of the Inventory

One requirement listed in the Act and addressed in the Guidelines is that "the plan shall provide for the closing or upgrading of all existing open dumps within the State ...". To aid the States in satisfying this requirement, EPA has funded State efforts to identify open dumps so that they can plan to provide for their closure or upgrading. In furtherance of this planning effort, the Act requires that EPA publish an inventory of open dumps. Publication of the inventory will serve to inform the Congress and the public of those facilities which the States have found to be open dumps.

Classification Criteria

For purposes of State planning and the inventory, the Act defines the term "open dump" to mean "... any facility or site where solid waste is disposed of which is not a sanitary landfill which meets the criteria promulgated under Section 4004 and which is not a facility for disposal of hazardous waste." Thus, any facility which fails to comply with any one element of the Criteria is an open dump.

OPEN DUMPING

In addition to establishing a mechanism whereby States, with EPA assistance, provide control over facilities which are found to be open dumps, RCRA prohibits the practice of open dumping of solid waste as a matter of Federal law.

The Federal prohibition may be enforced in Federal District Court through the citizen suit provisions in Section 7002 of RCRA. The Act does not give EPA authority to take legal action against parties that may violate the open dumping prohibition. Whether specific acts of specific individuals constitute the prohibited practice is a matter for the Federal courts to determine in the context of particular cases after de novo review of the facts in each case. In reviewing a case de novo, the court is not bound by the State's determination that a facility is an open dump. Rather, the court will make its own finding of fact and rule accordingly.

The open dumping prohibition is a provision of Federal law which stands on its own, separate from the State planning program. The inventory of open dumps is a publication of State findings from State planning efforts to satisfy the requirement of Section 4003 of the Act. The inclusion of a facility in the list of open dumps is not an administrative determination by EPA that any particular parties are engaging in the prohibited act of open dumping.

A determination for purposes of the open dump inventory need not precede an open dumping suit. However, before the results of the inventory may be used to support a legal determination that open dumping has occurred, the court would have to determine that the classification was a correct application of the criteria and that the defendant was responsible for actions violating the criteria. The court would be obliged to review the sufficiency of the State's classification of a facility and not simply defer to the State's decision.

DESCRIPTION OF INVENTORY

The first installment of the inventory was published on May 29, 1981 (46 FR 29064-29149). It reflected the initial efforts of the States in evaluating a portion of that total universe of facilities and represented a fraction of the total number of open dumps likely to exist. This second publication of the inventory reflects subsequent efforts of the States in evaluating facilities during fiscal year 1981. Those facilities found to be open dumps were added to the initial list, and facilities found no longer to be open dumps were deleted.

Actions on Facilities

Because the inventory lists facilities which the States have found to pose a reasonable probability of adverse effects on health or the environment, participating States will be planning for the closure or upgrading of these facilities pursuant to State authority. Specific actions may vary, including issuance of a State administrative order or the gathering of additional data. In some cases, States already have placed listed open dumps on compliance schedules for closure or upgrading prior to publication of this list.

All such actions are to be taken under State law and through State regulatory and administrative procedures. Interested parties may wish to contact the State solid waste management agencies (Appendix II) concerning the current status of any of these open dumps and the responsibilities the agencies have under State law.

State Approaches

EPA's Planning Guidelines require the plans of participating States to provide for an orderly time-phasing of the evaluation of disposal facilities to determine which facilities are open dumps. Thus, there is considerable flexibility for the States to set priorities for evaluating facilities. The establishment of these priorities is part of the State plans subject to the public participation provisions of 40 CFR 256.60.

The States have taken differing approaches in ranking facilities for evaluation and in conducting evaluations. For example, where States already had extensive data on hand, they could more easily rank their facilities for evaluation or make noncompliance determinations. Otherwise, resources had to be expended in locating facilities and gathering information, and fewer determinations would be likely to be made over the year.

For this second installment of the inventory, most participating States provided the Agency with brief descriptions of actions

and approaches they have taken in evaluating facilities. These descriptions are included Appendix III. Further information may be obtained from the State agency personnel listed in Appendix II.

INVENTORY OF OPEN DUMPS

INFORMATION FORMAT

BELOW IS AN EXAMPLE OF THE INFORMATION FORMAT USED IN THIS REPORT AND AN EXPLANATION OF THE INDIVIDUAL INFORMATION ITEMS

1.	<div></div>	2.	<div>NORTHUMBERLAND</div>	3.	<div>MT. CARMEL</div>	4.	<div>MOUNT CARMEL LANDFILL</div>
5.	<div>1.5 MI WEST OF MT. CARMEL BORO ON PDH RT =49017 THEN 800 FT. NW</div>			6.	<div>40 47 25 076 26 10</div>	7.	<div>01 06 08 09 11</div>

- 1. STATE ABBREVIATION
- 2. COUNTY NAME (IF APPLICABLE)
- 3. CITY NAME (IF APPLICABLE)
- 4. FACILITY NAME
- 5. FACILITY LOCATION
- 6. COORDINATES (LATITUDE-LONGITUDE) OR SURVEY GRID DESCRIPTION (RANGE-TOWNSHIP-SECTION)
- 7. NONCOMPLIANCE CATEGORY CODES, WHERE:

- 01 = FLOOD PLAINS
- 02 = ENDANGERED SPECIES
- 03 = SURFACE WATER
- 04 = GROUND WATER
- 05 = APPLICATION TO FOOD-CHAIN CROPLAND
- 06 = DISEASE
- 07 = AIR
- 08 = GASES
- 09 = FIRES
- 10 = BIRD/AIRCRAFT HAZARD
- 11 = ACCESS

AK KOBUK CENSUS AREA NONDESCRIPT	NOORVIK	NOORVIK DUMP 66 50 00	161 03 00	03 07 09
AK KOBUK CENSUS AREA NONDESCRIPT	SELAWIK	SELAWIK DUMP 63 36 00	160 00 00	03 06
AK KOBUK CENSUS AREA NONDESCRIPT	SHUNGNAK	SHUNGNAK DUMP 66 52 00	157 09 00	06
AK KOBUK CENSUS AREA NONDESCRIPT	NOT APPLICABLE	NOATAK DUMP 67 34 00	162 58 00	03
AK KOBUK CENSUS DIVISION 2 MILES SOUTHWEST OF KOTZEBUE	KOTZEBUE	THE KOTZEBUE LANDFILL 66 52 00	162 33 00	03 06 07 09 10 11
AK KODIAK ISLAND BOROUGH KODIAK ISLAND BOROUGH	NOT APPLICABLE	KODIAK COAST GUARD LANDFILL R20W T28S	9 10	
AK NOME CENSUS AREA ON BEACH OF NORTON SOUND	ELIM	ELIM DUMP 64 37 00	162 15 00	03 06
AK NOME CENSUS AREA NONDESCRIPT	GAMBELL	GAMBELL LANDFILL 63 47 00	171 45 00	06
AK NOME CENSUS AREA 2 MILES NORTHWEST OF TOWN	NOME	NOME LANDFILL 64 30 00	165 25 00	07
AK NOME CENSUS AREA ON BEACH	SAVOONGA	SAVOONGA DUMP 63 42 00	170 29 00	03 06
AK NOME CENSUS AREA NONDESCRIPT	SHAKTOOLIK	SHAKTOOLIK DUMP 64 20 00	161 09 00	03 06
AK NOME CENSUS AREA ON BEACH	SHISHMAREF	SHISHMAREF DUMP 66 15 00	166 04 00	03 06
AK NOME CENSUS AREA NONDESCRIPT	UNALAKLEET	UNALAKLEET DUMP 63 52 25	160 47 00	03 06 07 09
AK NOME CENSUS AREA OCEAN BEACH AND CREEK BANK	NOT APPLICABLE	TELLER DUMP 65 20 00	166 29 00	03 06
AK NORTH SLOPE BOROUGH NONDESCRIPT	ANAKTUVUK PASS	ANAKTUVUK DUMP 68 08 00	151 45 00	06 07 09
AK OUTSIDE BOROUGH AREAS MILE 0.5 WHITSHED RD	CORDOVA	CORDOVA LANDFILL 60 32 10	145 45 46	06 07 09
AK PRINCE WALES-OUTER KETCHIKAN BETWEEN CRAIG AND KLANOCK	CRAIG	CRAIG-KLANOCK LANDFILL 55 28 30	133 09 00	06 07 09
AK PRINCE WALES-OUTER KETCHIKAN NONDESCRIPT	HYDABURG	HYDABURG LANDFILL 55 12 20	132 49 28	06 07 09 11
AK PRINCE WALES-OUTER KETCHIKAN NONDESCRIPT	KASAAN	KASAAN DUMP 55 32 25	132 23 50	06 11
AK PRINCE WALES-OUTER KETCHIKAN NONDESCRIPT	NOT APPLICABLE	HYDER DUMP 55 55 00	130 01 30	11
AK SKAGWAY-YAKUTAT CENSUS DIV SITE ROAD	HOONAH	HOONAH DUMP R61E T43S	28	06 07 09 11

AL DALLAS SELMA
2.6 MILES EAST OF HIGHWAY 41 ON COUNTY ROAD 80

AL DEKALB NOT APPLICABLE
WEST OF US11 TO STATE 35 GO .5 MILES TURN RT ON CITY DUMP RD

AL ELMORE NOT APPLICABLE
ELMORE COUNTY ROAD 20

AL ELMORE NOT APPLICABLE
ELMORE COUNTY ROAD 23

AL ESCAMBIA EAST BREWTON
RIDGE ROAD

AL ESCAMBIA NOT APPLICABLE
WAWBECK ON US HIGHWAY 31

AL JACKSON SECTION
SOUTH ON ROCK CITY ROAD FROM SECTION LEFT ON LANDFILL ROAD

AL JACKSON NOT APPLICABLE
APPROX 2 MILES SE OF CEMETARY ON UNNUMBERED RD ON RIGHT

AL LAURENCE NOT APPLICABLE
WEST FROM TRINITY ON SHEATS CHAPEL RD 1.5 MILES TURN LEFT

AL MARION NOT APPLICABLE
SOUTH OF HIGHWAY 44 WEST OF BRILLIANT

AL MARION NOT APPLICABLE
STATE HIGHWAY 43 NORTH OF HAMILTON

AL MORGAN HARTSELLE
LOCATED NORTHWEST OF DOGPOND IN SEC 10 IN HARTSELLE

AL MORGAN NOT APPLICABLE
SIX MILES WEST OF DECATUR ON OLD MOLTON ROAD

AL MORGAN NOT APPLICABLE
.25 W OF US 31 ON DEER SPRINGS ROAD

AL ST CLAIR NOT APPLICABLE
LEFT ON DIRT ROAD AT SOUTHEAST CORNER OF SEC 32 ON ALA 144

AK BARROW-NORTH SLOPE CENSUS DIV BARROW
SOUTH SALT LAGOON

AK BETHEL CENSUS DIVISION BETHEL
BETHEL CENSUS DIVISION

AK KETCHIKAN CENSUS DIVISION KETCHIKAN
DEER MOUNTAIN ROAD

AK KOBUK CENSUS AREA AMBLER
NONDESCRIPT

AK KOBUK CENSUS AREA KIVALINA
NONDESCRIPT

AK KOBUK CENSUS AREA KOBUK
NONDESCRIPT

SELMA CITY SANITARY LANDFILL
11E 16N 10 01 06

FORT PAYNE SANITARY LANDFILL
9E 7S 7 03 06 09

CENTRAL LANDFILL
19E 20N 36 06 07 09 11

SPEIGNER SANITARY LANDFILL
17E 19N 25 06 07 09 11

ESCAMBIA COUNTY SANITARY LANDFILL EAST BREWTON
10E 2N 24 11

ESCAMBIA COUNTY SANITARY LANDFILL WAWBECK
7E 1N 21 11

SECTION SANITARY LANDFILL
6E 5S 26 06 09

CROW MOUNTAIN SANITARY LANDFILL
6E 2S 32 03 06 08 09 11

JOHNSON'S LANDFILL
6W 5S 25 04 07 09

SOUTH MARION COUNTY SANITARY LANDFILL
12W 12S 15 06 11

NORTH MARION COUNTY SANITARY LANDFILL
13W 10S 16 06 11

HARTSELLE SANITARY LANDFILL
4W 7S 10 03 06 09

OLD MOLTON ROAD SANITARY LANDFILL DECATUR ALABAMA
5W 6S 8 03 08

DECATUR MORGAN COUNTY SANITARY LANDFILL
4W 6S 20 03

ST CLAIR COUNTY SANITARY LANDFILL
4E 15S 32 06 07 08 09 11

BARROW DUMP
71 18 00 156 47 00 03 06 07 09 11

BETHEL LANDFILL
60 48 00 161 43 00 06 09

CITY OF KETCHIKAN LANDFILL
91E 75S 29 07 09

AMBLER DUMP
67 05 00 157 52 00 03 06

KIVALINA DUMP
67 43 40 164 32 30 03

KOBUK DUMP
66 55 00 156 52 00 06 11